

UNITED STATES MILITARY TRIBUNAL III
SITTING IN THE PALACE OF JUSTICE, NURNBERG, GERMANY
31 July 1948

THE UNITED STATES OF AMERICA

-vs.-

ALFRIED FELIX ALWYN KRUPP VON
BOHLEN UND HALBACH, EWALD OSKAR
LUDWIG LOESER, EDUARD HOUDREONT,
ERICH MUELLER, FRIEDRICH WILHELM
JANSSEN, KARL HEINRICH PFIRSCH,
MAX OTTO IHN, KARL ADOLF FERDINAND
EBERHARDT, HEINRICH LEO KORSCHAN,
FRIEDRICH VON BUELOW, WERNER
WILHELM HEINRICH LEHMANN, HANS
ALBERT GUSTAV KUPKE

Defendants

Case No. 10

S E N T E N C E

Hu C. Anderson, Presiding Judge
Edward J. Daly, Judge
William J. Wilkins, Judge

The defendant Alfried Felix Alwyn Krupp von Bohlen und Halbach will arise.

On the counts of the indictment on which you have been convicted, the Tribunal sentences you to imprisonment for twelve years and orders forfeiture of all of your property, both real and personal. The same shall be delivered to the Control Council for Germany and disposed of in accordance with the provisions of Article 11, Section 3 of Control Council Law No. 10. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 11th day of April 1945.

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The defendant Ewald Oskar Ludwig Loeser is not present. He has asked to be excused because of his condition of health, and his request has been granted. The defendant, Ewald Oskar Ludwig Loeser on the counts of the indictment on which he has been convicted is sentenced by the Tribunal to imprisonment for seven years. The period already spent by him in confinement before and during the trial is to be credited on the term already stated and to this end the term of imprisonment, as now adjudged, shall be deemed to begin on the 13th day of July 1947.

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The defendant Eduard Houdremont will arise.

On the counts of the indictment on which you have been convicted, the Tribunal sentences you to imprisonment for ten years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 10th day of September 1945.

The defendant Erich Mueller will arise.

On the counts of the indictment on which you have been convicted, the Tribunal sentences you to imprisonment for twelve years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 10th day of September 1945.

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The defendant Friedrich Wilhelm Janssen will arise.

On the counts of the indictment on which you have been convicted, the Tribunal sentences you to imprisonment for ten years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 10th day of September 1945.

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The defendant Max Otto Ihn will arise.

On the count of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for nine years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 10th day of September 1945.

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The defendant Karl Adolf Ferdinand Eberhardt will arise.

On the counts of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for nine years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment,

as now adjudged, shall be deemed to begin on the 10th day of September 1945.

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The defendant Heinrich Leo Korschan will arise.

On the count of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for six years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 22nd day of April 1947.

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The defendant Friedrich von Buelow will arise.

On the count of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for twelve years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 10th day of September 1945.

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The defendant Werner Wilhelm Heinrich Lehmann will arise.

On the count of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for six years. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 24th day of September 1945.

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The defendant Hans Albert Gustav Kupke will arise.

On the count of the Indictment on which you have been convicted, the Tribunal sentences you to imprisonment for 2 years, 10 months and 19 days. The period already spent by you in confinement before and during the trial is to be credited on the term already stated and to this end the term of your imprisonment, as now adjudged, shall be deemed to begin on the 13th day of September 1945 and it shall end today.

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During the trial of this case the defendants Loeser, Houdremont and Korschan have been excused from attendance at Court on different occasions because of their health. The record indicates that the defendant Loeser is not present today because of his present condition.

The above-named defendants have just been sentenced to imprisonment. We believe that they should not be exposed by incarceration to dangerous consequences to their health. However, we are not in a position to determine whether the present condition of health of any of these defendants is of such a nature that imprisonment will cause fatal or other extremely serious consequences.

Accordingly, we are writing to General Lucius D. Clay, the U. S. Military Governor of the United States Zone in Germany, calling his attention to this with the suggestion that examinations be made for the purpose stated above. If he concludes that such examinations are indicated and is of the opinion thereafter that because of the condition of health of any of the defendants in question, sentence or sentences of any of them should be altered, he has the authority to do so under Article XVII of Ordinance No. 7 of the Military Government for Germany (U.S.).

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I, Hu C. Anderson, Presiding Judge, sign the foregoing subject to the written dissent filed and made a part of the record.

/s/ Hu C. Anderson
Hu C. Anderson, Presiding Judge

/s/ Edward J. Daly
Edward J. Daly, Judge

/s/ William J. Wilkins
William J. Wilkins, Judge

Nurnberg, Germany
Dated 31 July 1948